

REMARKS

In the outstanding Office Action, the Examiner rejected claims 1, 2, 6-8, 10-11, 13, 15, 17, 19, and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,744,398 to Byun et al. ("Byun") in view of U.S. Patent No. 5,654,242 to Komatsu ("Komatsu") and U.S. Patent No. 5,569,624 to Weiner ("Weiner"); and allowed claims 3-5, 9, 12, 14, 16, 18, 20, and 22.

By this amendment, Applicants have amended claims 1-2, 6-8, 10-15, and 17, and Applicants have canceled claims 19 and 21. Claims 1-18, 20, and 22 thus remain pending.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's allowance of claims 3-5, 9, 12, 14, 16, 18, 20, and 22.

Rejection under 35 U.S.C. § 103(a)

Applicants respectfully traverse the Examiner's rejection of claims 1, 2, 6-8, 10-11, 13, 15, 17, 19, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Byun in view of Komatsu and Weiner. To establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), each of three requirements must be met. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. M.P.E.P. §2143.03. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of the three requirements must "be found in the prior art, and not be based on applicant's disclosure." M.P.E.P. § 2143. At a minimum, the Examiner cannot

establish that the references teach each and every element of the claimed combination. See M.P.E.P. §§ 2143.01 & 2143.03.

Applicants initially note that the Examiner's rejection of canceled claims 19 and 21 is moot. In addition, the references, whether taken alone or in combination fail to teach or suggest the claimed combination including "irradiating primarily visible light beams to heat said silicide film," as recited in claims 1 and 6.

As stated by the Examiner, Byun "is silent with respect to ... the use [of] irradiating for heat treatment." Office Action, page 2. Komatsu is also silent regarding the use of irradiating energy beams for heat treatment, and is not relied upon by the Examiner for such teachings.

Weiner is relied upon to allegedly cure the above-noted deficiencies of Byun and Komatsu. Weiner teaches annealing a spin-on glass layer using a pulsed laser beam to heat silicide layers. Weiner, col. 4, lines 40-42. A pulsed laser beam 22 (see Figure 3) is irradiated onto spin-on glass layer 21 such that heat is transferred from the glass layer into silicide layers 18-20 effectively heating silicide layers 18-20 and allowing dopant present in spin-on glass layer 21 to diffuse into silicide layers 18-20. Weiner, however, teaches only that the pulsed laser beam may be ultraviolet light. *Id.* at col. 4, lines 63-66. Thus, Weiner is silent to "irradiating *primarily visible light* beams to heat said silicide film," as recited in claims 1 and 6 (emphasis added).

Since the references fail to teach each and every element of claims 1 and 6, a *prima facie* case of obviousness has not been established. Accordingly, Applicants respectfully request the rejection of claims 1 and 6 under 35 U.S.C. § 103(a) be withdrawn.

Furthermore, claims 2, 11, and 15, and claims 7-8, 10, 13, and 17, respectively depend from claims 1 and 6, and thus require all of the respective elements of claims 1 and 6. Since the references fail to teach each and every element of claims 1 and 6, the references also fail to teach each and every element required by the dependent claims. Accordingly, Applicants respectfully request the rejection of claims 2, 7-8, 10-11, 13, 15, and 17 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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